

An. Code, sec. 10. 1906, ch. 439, sec. 8A.

10. It shall be unlawful for any person to transport, or attempt to transport, outside of this State, for any purpose whatsoever, unmerchantable oysters as declared in the preceding section of this article, whether the unmerchantable oysters be taken from or caught on the natural bars or beds of this State, or from private beds and lots in this State; and any violation of the provisions of this section shall be deemed a misdemeanor, and the captain or person in charge of any boat or vessel used in violation of the same shall upon the conviction of violating the provisions of this section before any justice of the peace or court of competent jurisdiction be sentenced to the house of correction for a period of not less than three months nor more than six months, and the boat or vessel so used shall be forfeited, but shall be released upon the payment of a fine of not less than \$100 and not more than \$300, and the cargo of such vessel shall be confiscated to the State and shall be distributed under the supervision of the commander or some deputy commander, or general oyster inspector of the State fishery force, upon the natural rocks and bars.

See notes to sec. 8.

An. Code, sec. 11. 1904, sec. 10. 1894, ch. 380, sec. 9. 1900, ch. 380. 1922, ch. 519, sec. 11.

11. Any person violating any provision of Sections 8 or 9 of this Article, and found having in his possession oysters more than five per centum unmerchantable shall be deemed guilty of a misdemeanor, and upon conviction before any justice of the peace or court of competent jurisdiction, shall be fined the sum of not less than \$40 nor more than \$200, or confined in jail not less than 30 days nor more than six months, either or both, and said cargo confiscated and returned to natural beds or bars under the supervision of the oyster inspector or other officer making the arrest, and the boat or vessel shall be held as security for the payment of said fine. If the boat in which only oyster tongs are used,¹ the said captain or other person in charge shall be fined not less than \$20 nor more than \$100 and the boat in which said oysters are found shall be held as security for the payment of said fine.

This section referred to as indicating that sec. 9 applies only to oysters taken from the waters of this state. *Tyler v. State*, 93 Md. 310.

See sec. 19 and notes to secs. 8 and 9.

1922, ch. 519, sec. 11A.

12. All the provisions of this Article relating to the inspection and culling of oysters and the imposition of penalties for the violation of the cull law shall apply to oysters in the shell found anywhere within the State, whether afloat or ashore, and whether said oysters have been caught within the waters of this State or shipped or brought into Maryland from other States.

1922, ch. 336.

13. All local and general laws of this State fixing or regulating minimum or maximum sizes of oysters, fish or crabs, respectively, shall apply

¹ This line is just as it appears in the act.